# EXHIBIT 1 – June 22, 2020 USDA Inspection Report

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BBOONE

United States Department of Agriculture Animal and Plant Health Inspection Service

#### **Inspection Report**

Jeffrey Lowe 25803 N C R 3250

Wynnewood, OK 73098

Customer ID: Certificate: 73-C-0230

> Site: 001 JEFFREY LOWE

Type: ROUTINE INSPECTION

Date: 22-JUN-2020

332646

2.40(a)(2) **DIRECT** 

#### ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

The written program of veterinary care was not available at time of inspection. A copy was forwarded on June 23, 2020 and the frequency for regularly scheduled visits with the attending veterinarian was written to occur monthly or as needed. When the attending veterinarian was contacted and asked if they were still the attending veterinarian they stated that was up for discussion since the last two visits were in March 2019 for work on a tiger and then in February 2020 for writing health certificates for the transport of tigers.

Regularly scheduled visits in accordance with what is agreed upon in the written program of veterinary care with the attending veterinarian are needed to consult on the proper preventive care and nutritional needs of different species. Other facility issues including veterinary care can be observed and expert consultation received to enhance the program of veterinary care and to correct any deficiencies found.

Each dealer and exhibitor shall assure that the attending veterinarian has appropriate authority to ensure the provision of adequate veterinary care and to oversee the adequacy of other aspects of animal care and use.

Correct by June 30, 2020

#### 2.40(b)(2)

#### ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

Two geriatric wolves were in an exhibit by themselves far removed from the rest of the wolves. One was very reluctant to rise and the other had pressure sores on both rear hocks. The facility representative stated they were old and arthritic and so were removed from public contact. The facility representative also stated that they thought the old wolves were not in pain. One inspector asked if the veterinarian had been consulted and the licensee stated they had been recently vaccinated. In a subsequent telephone conversation with the veterinarian that had vaccinated them, they stated that they had prescribed medication for the wolves and recommended the facility provide proper bedding for the animals. The facility representatives were not aware of any medication(s) being

BOONE BONNIE, D V M	USDA, APHIS, Animal Care	<b>Date:</b> 23-JUN-2020	
VETERINARY MEDICAL O	FFICER 6119		
JEFF LOWE		Date:	
LICENSEE		23-JUN-2020	1
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prescribed or given to the old wolves. Concrete is the floor of the wolves enclosure. A few strands of hay were present which the representative called bedding. The amount of hay was insufficient for bedding as prescribed by the veterinarian.

Arthritis can be painful affecting the animal's mobility and willingness to participate in daily activity of the animals and may interfere with obtaining water and food if reluctant to rise. Confinement on concrete can exacerbate pain and discomfort. Proper husbandry and medical care must be provided.

The licensee is not following the instructions of the veterinarian to provide medication and bedding for the wolves. The licensee must ensure that all animals receive adequate veterinary care at all times and that the instructions are followed to ensure proper medical care and treatment for the animals.

Correct by June 28, 2020

#### 2.40(b)(2) **CRITICAL**

#### ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

A 17 year-old male Tigon named "Young Yi" allegedly died from renal failure sometime near the weekend of June 13, 2020 according to facility representatives. "Young Yi" was not examined by their attending veterinarian therefore was not diagnosed nor treated for anything. The other veterinarian they frequently use had not examined, diagnosed or treated him recently either. The attending veterinarian stated he was in the park in February 2020 writing health certificates for animals departing the facility but did not examine other animals nor was asked to look at any other animals. The facility representative texted: "We assume he had renal failure. He was 17 years old. He had no teeth. At this age most of them pass on due to renal failure. We could tell by the appearance of his urine." The licensee also stated he was not drinking like an animal his size should drink for the last few days of his life.

In order to minimize negative animal welfare impacts such as pain and suffering, the attending veterinarian must be consulted in order to diagnose and treat animals properly. Frequent and ongoing communication with the attending veterinarian is necessary if animals are not improving with treatment or if new clinical signs are observed so that adequate care is properly implemented.

The facility must consult with their attending veterinarian in order to use appropriate methods to prevent, control. diagnose, and treat diseases and injury.

Prepared By:			
	BOONE BONNIE, D V M USDA, APHIS, Animal Care	<b>Date:</b> 23-JUN-2020	
Title:	VETERINARY MEDICAL OFFICER 6119	20 00.11 2020	
Received By:			
	JEFF LOWE	Date:	
Title:	LICENSEE	23-JUN-2020	
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#### **Inspection Report**

#### 2.40(b)(2) DIRECT

#### ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

"Nala" an approximately 16 week-old lion cub was lethargic, depressed, and thin and would not get up out of the mud from a sitting position even after prompting. The inspectors were able to walk up very close to the enclosure and she did not rise and had minimal reactions and head movements. She had a string of purulent nasal discharge hanging from her right nostril and had an accumulation of green discharge in her eyes. Her respiration was shallow and rapid. The inspection was halted immediately by the inspector and the facility representative was instructed to obtain immediate veterinary care for the animal. When the facility personnel picked her up to transfer her to the transport crate she was minimally responsive, did not move her limbs, and landed in the manner they had placed her. Although the cub was seen by a veterinarian 6 days prior for ear wounds that were sutured as well as for a toenail issue, it was not due to a respiratory illness which was observed by the inspectors on this inspection.

Continued communication with the attending veterinarian is necessary if animals are not improving with treatment or if new clinical signs are observed so that adequate treatment plans are properly implemented.

The facility must consult their attending veterinarian in order to use appropriate methods to prevent, control, diagnose, and treat diseases and injuries.

The cub was taken immediately to a veterinarian.

#### 2.40(b)(3) DIRECT

#### ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

2.40(b)(3) DIRECT ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

A Fisher Cat in the back of the park was lame on its left rear leg during the inspection. It also had extreme thinning of the hair on its tail. The attending veterinarian had not been consulted nor had any treatment been provided at the time of inspection since the condition had not been observed or reported by facility representatives.

A grizzly bear at the facility was observed to be extremely thin. A black bear was observed to be underweight. Both bears at the facility were observed to be exhibiting a heightened activity level. They were both extremely active and aggressive, lunging at the cage edges and reaching through the bars at anything close to their enclosures. The female grizzly bear named "Gizzy" is emaciated. The spinous processes of the vertebral bodies and hip bones are

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easily visible. The facility representative states that the female black bear named Eve is being fed yogurt, eggs, rotisserie chicken and fruit.

Bears are omnivores and require dietary needs that change with the seasons. Proper nutrition is key in maintaining bear health. Formulating diets with a veterinarian familiar with bears or a zoo nutritional consultant will help to ensure proper nutrition. Other contributing factors such as internal parasites must be ruled out for animals with body conditions such as poor hair coat or inability to gain weight. Sub-optimal conditions must be observed and communicated to the attending veterinarian.

A mechanism of direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the attending veterinarian. The facility must consult their attending veterinarian for an adequate nutritional and parasite control program for these animals and it must be followed.

Correct by June 25, 2020

#### 3.75(c)(1)(ii)

#### HOUSING FACILITIES, GENERAL.

In the indoor portion of the non-human primate building, the enclosure housing the lemurs has a metal resting platform. This metal resting platform has areas that have rusted through creating defects with sharp edges.

This creates a risk of injury from sharp edges for the enclosed animals. Metal surfaces with rust also creates a surface conducive to the collection of organic material and subsequent bacterial growth which combined with an injury can lead to infection.

The facility must repair or replace this section, and must maintain metal surfaces throughout the facility to protect the welfare of the animals.

Corrected on June 22, 2020.

#### 3.125(a)

#### **FACILITIES, GENERAL.**

-In the rear of the park, an enclosure containing 2 wolves has a metal grate sub-floor that is exposed along two of

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the sides including under the water receptacle. This exposed grate has openings approximately 4 x 4 inches wide that could entrap a foot or limb.

- -In the front of the park, an enclosure containing one African porcupine has a metal grate sub-floor that is exposed in the corner and side containing the water receptacle. This exposed sub-floor has openings approximately 4 x 4 inches wide that create a possible injury threat of limb entrapment to the enclosed animal.
- -In the front of the park, an enclosure containing one Fisher cat has a metal grate sub-floor that is exposed in the corner and side containing the water receptacle. This exposed sub-floor has openings approximately 4 x 4 inches wide that create a possible injury threat of limb entrapment to the enclosed animal. This animal was observed to be lame during the inspection.
- -In the kangaroo enclosure a piece of metal fencing has an exposed vertical edge that is about 4 inches tall and there is an approximately 4 inch gap between the metal fencing and the enclosure's wooden fence. The exposed metal has the potential for limb entrapment between it and the wooden fence.
- -In the rear of the park a tiger enclosure has a metal reinforcement approximately ten inches high located next to the metal fence. This solid metal reinforcement is no longer closely adhered to the fence and there is a 3-4 inch gap between it and the fence. This space is a potential hazard for limb entrapment and the collection of debris or organic matter.

A trapped limb can result in a fracture or soft tissue injury that can be painful and become infected.

Facilities shall be maintained in good repair to protect the animals from injury and to contain the animals.

Corrected on June 22, 2020.

#### 3.131(d) DIRECT

#### SANITATION.

There is a large pile of primarily wood debris in the back of the park. The licensee stated that it contains a partially burned Tigon carcass said to be named Young Yi and a black tarp covering a deceased tiger by the named of Dot. There is a foul odor of decomposing flesh and many flies are present on the boards and surrounding areas.

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The improper or delayed disposal of carcasses has resulted as an attractant for flies and other pests. Fly trap bags were observed to be present in the front public areas of the park but no fly traps were present in the back areas of the park during the inspection. The flies have created fly strikes on many species in the park including tigers, lions, and wolves. Fly strikes have resulted in large patches of painful ulceration on the ears, and legs on numerous tigers, lions, and wolves. Ulcerated areas are red, have scabs and some have exuded pus or fresher blood. These affected areas are missing hair, skin and/or deeper flesh. When the inspector pointed this out, the facility representatives applied ointment to the ear tips of the tiger and lion cubs during the inspection.

One veterinarian, (but not the attending veterinarian), has been consulted for treatment of the fly strike on the above mentioned animals. The complete burial or burning of dead carcasses must occur. Fly traps should be installed in the back of the park or another safe and effective program for the control of insects, ectoparasites, and avian and mammalian pests shall be established and maintained.

Correct by: June 24, 2020

The inspection and exit briefing were conducted with facility representatives.

#### **Additional Inspectors**

Cunningham Debbie, Veterinary Medical Officer

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Title:	LICENSEE		23-JUN-2020	c
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United States Department of Agriculture Customer: 332646
Animal and Plant Health Inspection Service Inspection Date: 22-JUN-20

## **Species Inspected**

Cust No	Cert No	Site	Site Name	Inspection
332646	73-C-0230	001	JEFFREY LOWE	22-JUN-20

Count	Scientific Name	Common Name
000004	Atelerix albiventris	FOUR-TOED HEDGEHOG (MOST COMMON PET HEDGEHOG)
000003	Atherurus africanus	AFRICAN BRUSH-TAILED PORCUPINE
000003	Callithrix jacchus	COMMON MARMOSET
000002	Caluromys philander	BARE-TAILED WOOLLY OPOSSUM
000001	Camelus dromedarius	DROMEDARY CAMEL
000001	Canis aureus	GOLDEN JACKAL
000001	Canis latrans	COYOTE
000012	Canis lupus x c. l. familiaris	WOLF/DOG HYBRID
000001	Capra hircus	DOMESTIC GOAT
000005	Caracal caracal	CARACAL
000001	Cercopithecus neglectus	DE BRAZZA'S MONKEY
000001	Choloepus didactylus	LINNAEUS'S TWO-TOED SLOTH
000001	Galago senegalensis	NORTHERN LESSER BUSHBABY
000001	Lama pacos	ALPACA
000007	Lemur catta	RING-TAILED LEMUR
000001	Lynx canadensis	CANADIAN LYNX
800000	Lynx rufus	BOBCAT
000001	Macaca mulatta	RHESUS MACAQUE
000001	Macaca nemestrina	PIG-TAILED MACAQUE
000001	Mephitis macroura	HOODED SKUNK
000002	Mephitis mephitis	STRIPED SKUNK
000004	Mustela putorius furo	DOMESTIC FERRET
000001	Osphranter rufus	RED KANGAROO
000001	Otocyon megalotis	BAT-EARED FOX
000003	Ovis aries aries	SHEEP INCLUDING ALL DOMESTIC BREEDS
000015	Panthera leo	LION
000018	Panthera leo $x$ p. tigris	LION X TIGER HYBRID / LIGER / TIGON
000001	Panthera onca	JAGUAR
000078	Panthera tigris	TIGER
000001	Potos flavus	KINKAJOU
000001	Prionailurus viverrinus	FISHING CAT
000012	Procyon lotor	RACCOON
000002	Puma concolor	PUMA / MOUNTAIN LION / COUGAR
000001	Saguinus midas	RED-HANDED TAMARIN
000001	Spermophilus richardsonii	RICHARDSON'S GROUND SQUIRREL
000009	Sus scrofa domestica	DOMESTIC PIG / POTBELLY PIG / MICRO PIG
000001	Ursus americanus	NORTH AMERICAN BLACK BEAR
000001	Ursus arctos horribilis	GRIZZLY BEAR
000001	Vulpes lagopus	ARCTIC FOX
000003	Vulpes vulpes	RED FOX (INCLUDES SILVER FOX & CROSS FOX)

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Animal and Plant Health Inspection Service Inspection Date: 22-JUN-20

**Species Inspected** 

 Cust No
 Cert No
 Site
 Site Name
 Inspection

 332646
 73-C-0230
 001
 JEFFREY LOWE
 22-JUN-20

Count Scientific Name Common Name

000212 Total

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Photographer: DR. CUNNINGHAM

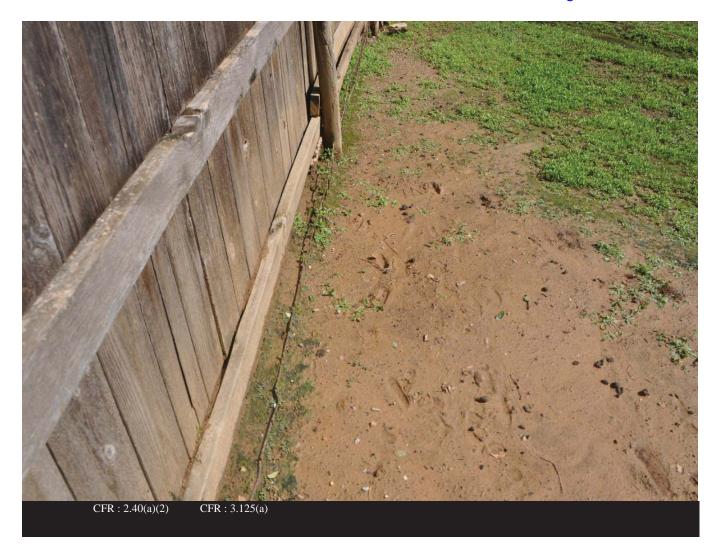
Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

Fly strike on the back of the ears of wolf in the back of the park

Certificate: 73-C-0230

**Legal Name:** 



Date and Time: 22-JUN-20 Certificate: 73-C-0230

Inspection No: 2016082569850135 Legal Name:

Description: JEFFREY LOWE

Kangaroo enclosure with a buried metal fence with an exposed 4 inch vertical edge and a 4 inch gap from the enclosure wooden fence approximately 4 inches from the

fence. Possible limb injury

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Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

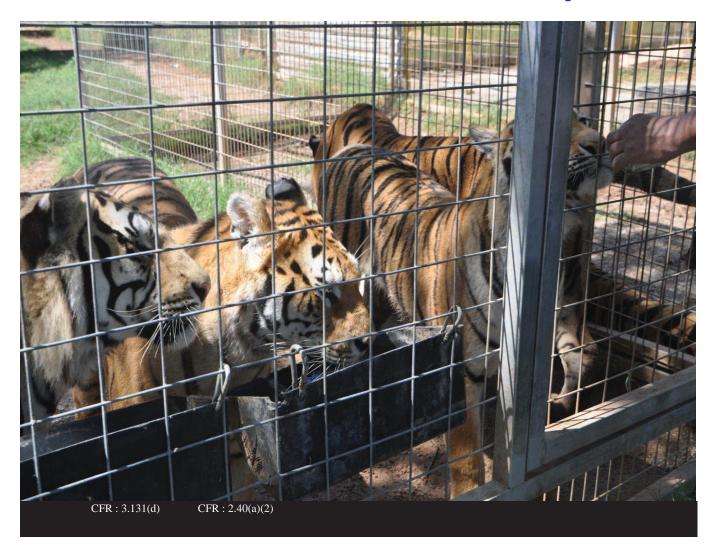
Tiger enclosure with a solid vertical metal edge that is approximately 4 inches

from the enclosure fence. Possible limb injury

Certificate: 73-C-0230

**Legal Name:** 

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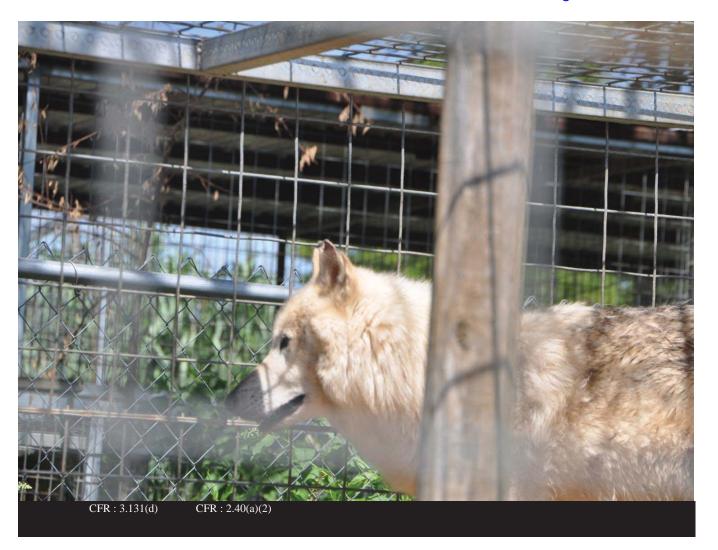
**Description:** 

Fly strike on ears of tiger cubs in the back of the park

Certificate: 73-C-0230

**Legal Name:** 

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Photographer: DR. CUNNINGHAM

Date and Time: 22-JUN-20 Inspection No: 2016082569850135

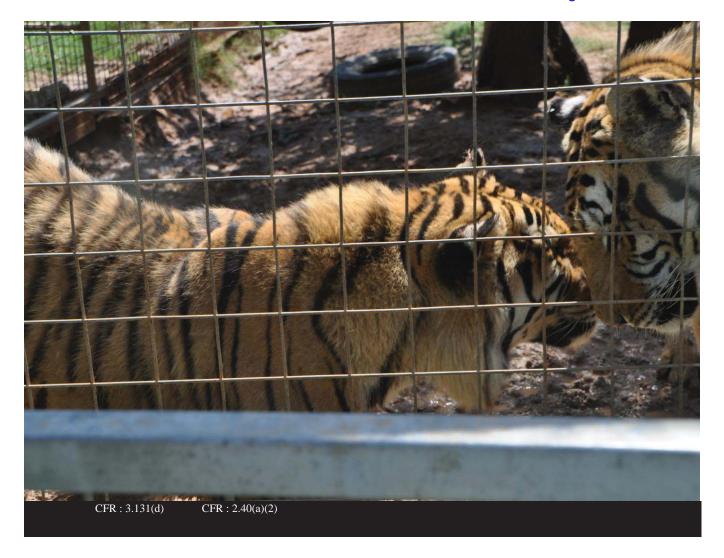
**Description:** 

Fly strike on the front of the ears of wolf in the back of the park

Certificate: 73-C-0230

**Legal Name:** 

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Photographer: DR. CUNNINGHAM

Date and Time: 22-JUN-20 Inspection No: 2016082569850135

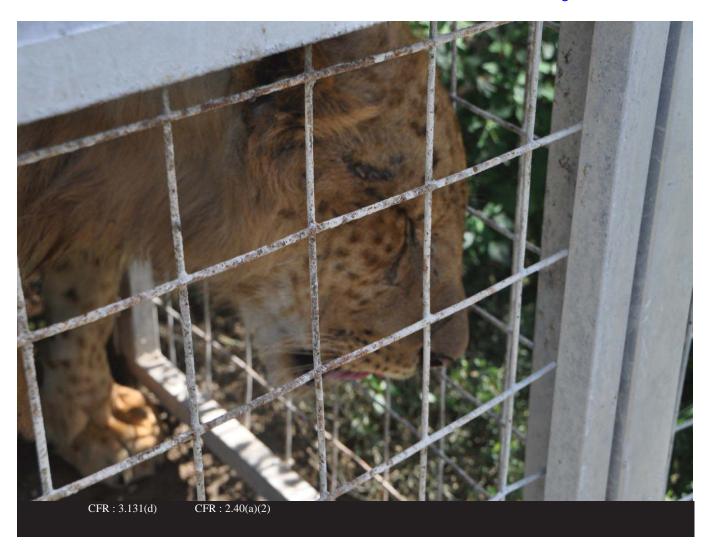
**Description:** 

Tiger with fly strike on ears

Certificate: 73-C-0230

**Legal Name:** 

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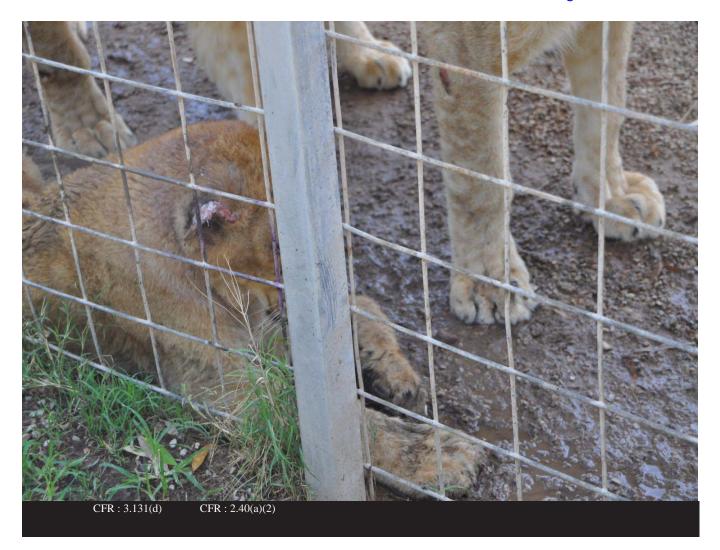
**Description:** 

Wounds on face of hybrid in the front of the park

Certificate: 73-C-0230

**Legal Name:** 

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Photographer: DR. CUNNINGHAM

Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

Wound on leg of lion cub in the front of the park

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**Description:** 

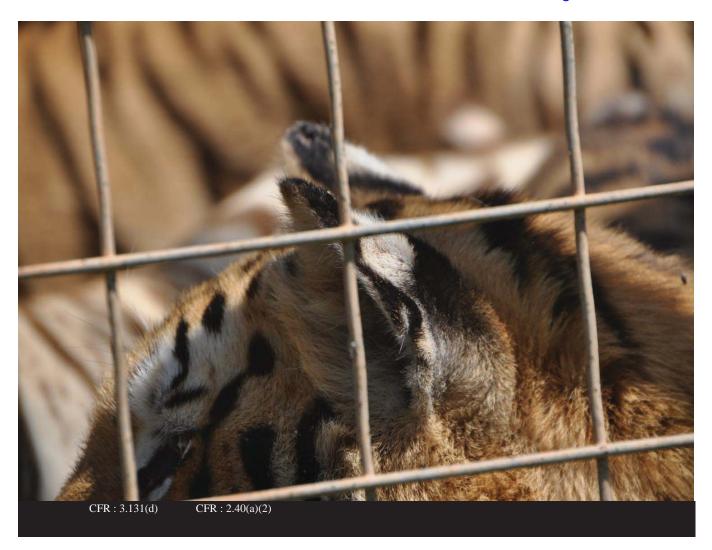
Extremely thin brown bear named "Gizzy". Evident spinous process of vertebral

bodies, hip bones, and scapula

Certificate: 73-C-0230

Legal Name:

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Photographer: DR. CUNNINGHAM

Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

Tiger with fly strike on ears

Certificate: 73-C-0230

**Legal Name:** 

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Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

Extremely thin brown bear named "Gizzy". Evident spinous process of vertebral

bodies, and hip bones

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**Description:** 

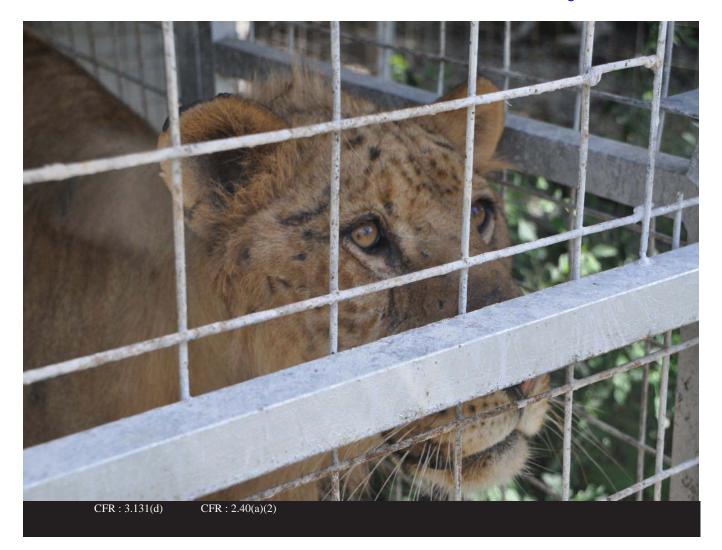
Extremely thin brown bear named "Gizzy". Evident spinous process of vertebral

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Photographer: DR. CUNNINGHAM

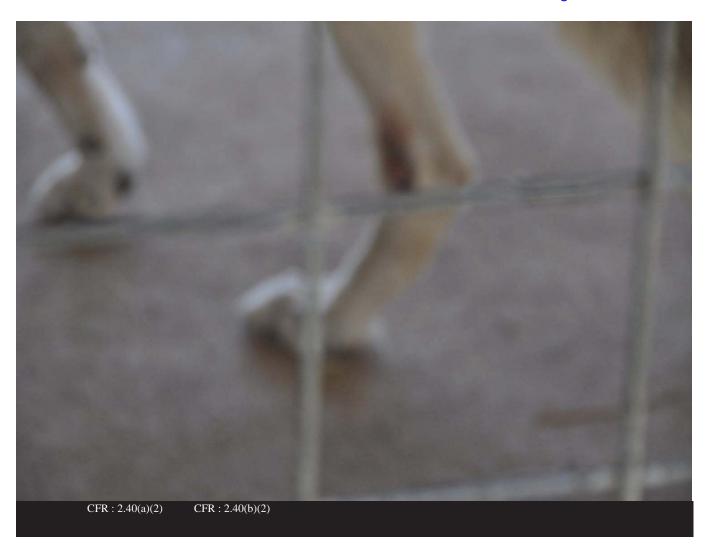
Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

Wound on face of hybrid in the front of the park

Certificate: 73-C-0230

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Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

Wolf with a reddened and ulcerated injury/pressure sore on its hock. Wolf is exhibiting lameness. Sparse strands of hay bedding in concrete floor enclosure

Certificate: 73-C-0230

**Legal Name:** 



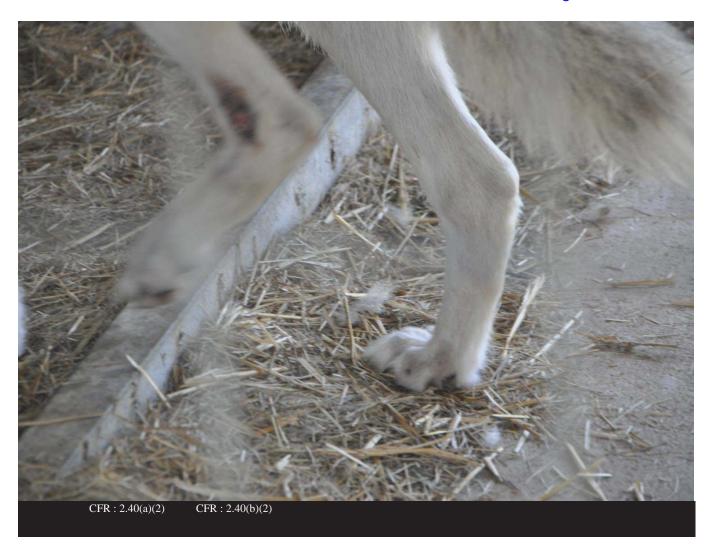
Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

Sub-floor grate exposed in wolves enclosure

Certificate: 73-C-0230

**Legal Name:** 



 ${\bf Photographer: DR.\ CUNNINGHAM}$ 

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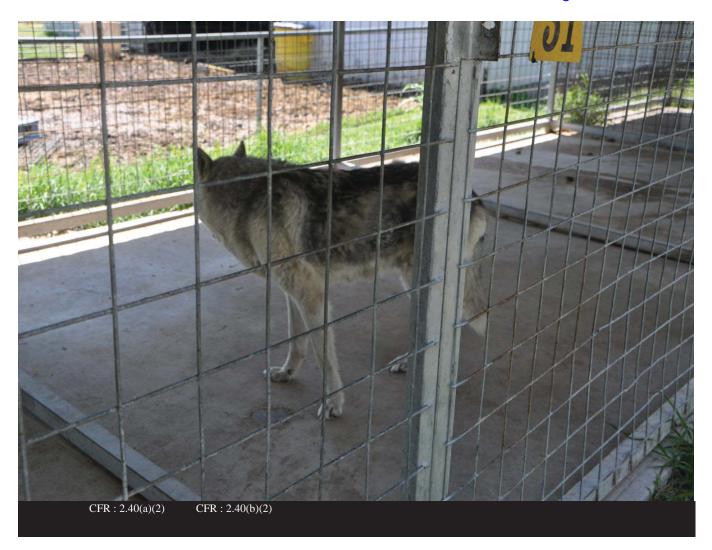
**Description:** 

Wolf with a reddened and ulcerated injury/pressure sore on its hock. Wolf is exhibiting lameness. Sparse strands of hay bedding in concrete floor enclosure

Certificate: 73-C-0230

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Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

Scattered hay strands observed in this photo despite veterinarians instructions to

provide additional bedding for geriatric wolves.

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**Description:** 

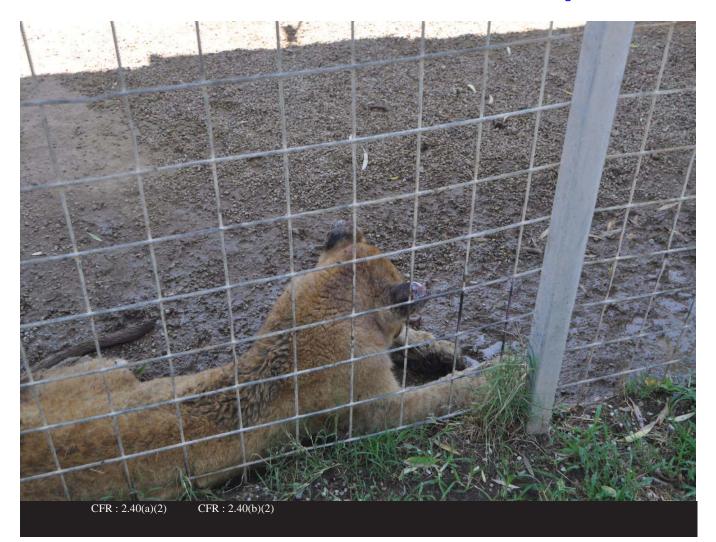
Close up of partially burned tigon carcass named Young Yi. Numerous flies on

wood and surrounding areas.

Certificate: 73-C-0230

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**Description:** 

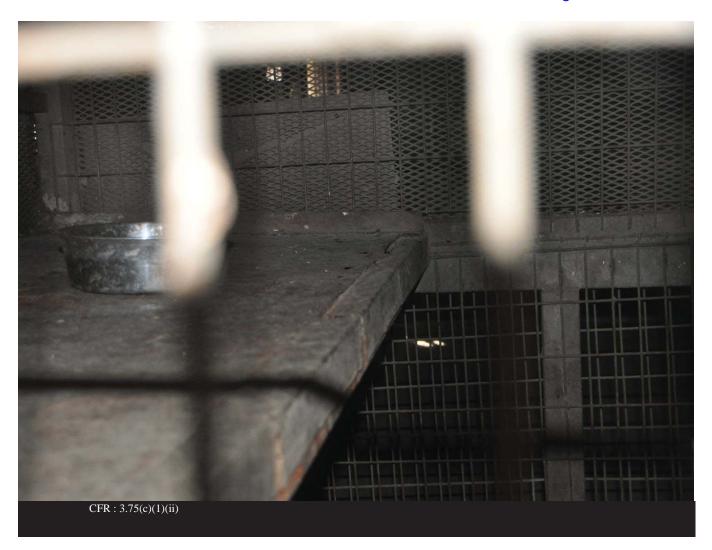
Overview of lion cub named Nala laying in the mud. Cub is depressed, lethargic

and with purulent nasal and ocular discharge

Certificate: 73-C-0230

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**Description:** 

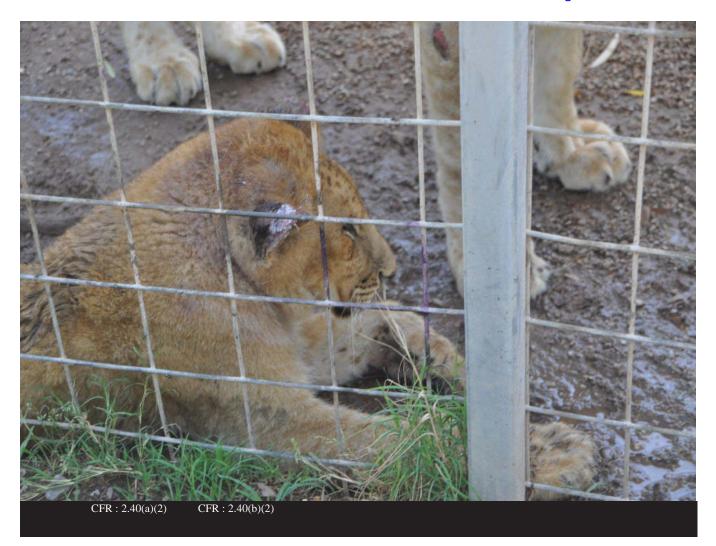
Indoor portion of the NHP lemur enclosure resting platform with areas of rusted

through creating defeats and sharp edges.

Certificate: 73-C-0230

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Photographer: DR. CUNNINGHAM

Date and Time: 22-JUN-20 Certificate: 73-C-0230

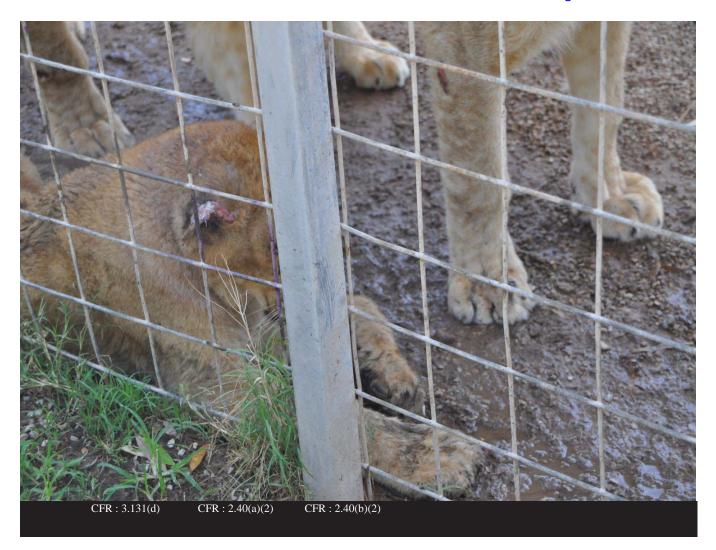
Inspection No: 2016082569850135 Legal Name:

Description: JEFFREY LOWE

Lion cub laying in the mud, depressed, lethargic and with purulent nasal and ocular

discharge

6:20-cv-00423-JFH Document 2-1 Filed in ED/OK on 11/19/20 Page 31 of 41



Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

Wound on the front right leg of a lion cub in the front of the park

Certificate: 73-C-0230

**Legal Name:** 



Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

Overview of partially burned tigon carcass named Young Yi and tiger named Dot carcass under black tarp. Numerous flies on wood, tarp and surrounding areas.

Legal Name:

JEFFREY LOWE

Certificate: 73-C-0230

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Date and Time: 22-JUN-20 Inspection No: 2016082569850135

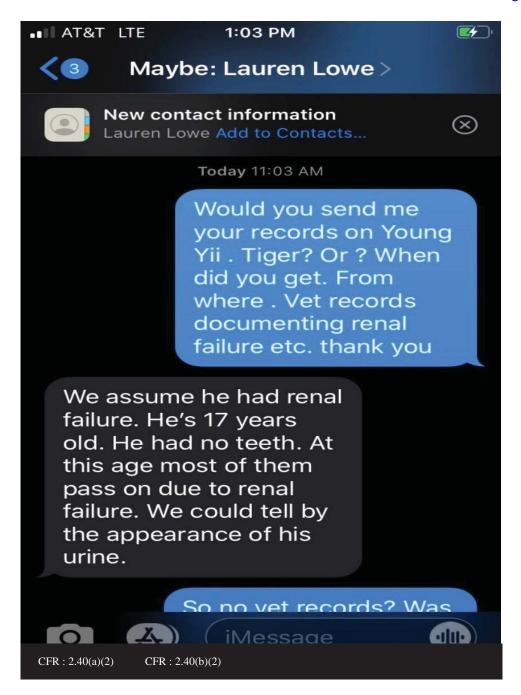
**Description:** 

Extremely thin brown bear named "Gizzy". Evident spinous process of vertebral

bodies, hip bones, and scapula

Certificate: 73-C-0230

**Legal Name:** 



Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

Facility representative text message responding to questions about Young Yi's

diagnosis of renal failure and lack of veterinary records

Certificate: 73-C-0230

Legal Name:



Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

Sub-floor grate exposed in porcupine enclosure under the water receptacle

Certificate: 73-C-0230

**Legal Name:** 

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Date and Time: 22-JUN-20 Inspection No: 2016082569850135

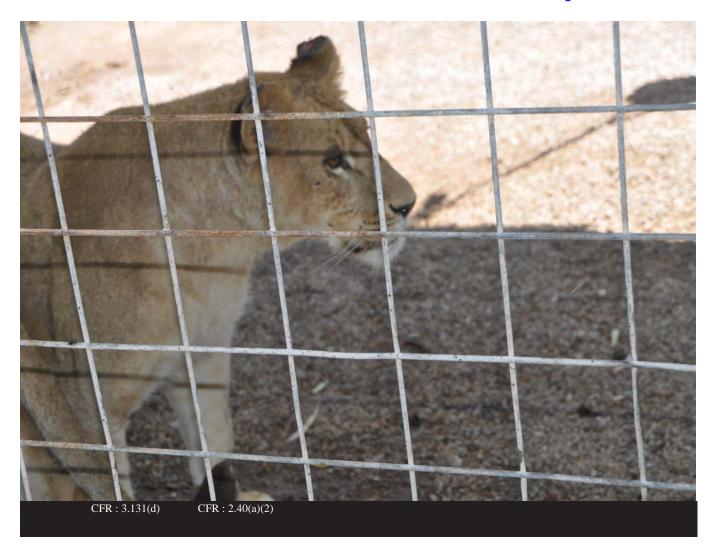
**Description:** 

Sub-floor grate exposed in wolves enclosure under the water receptacle

Certificate: 73-C-0230

**Legal Name:** 

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Date and Time: 22-JUN-20 Inspection No: 2016082569850135

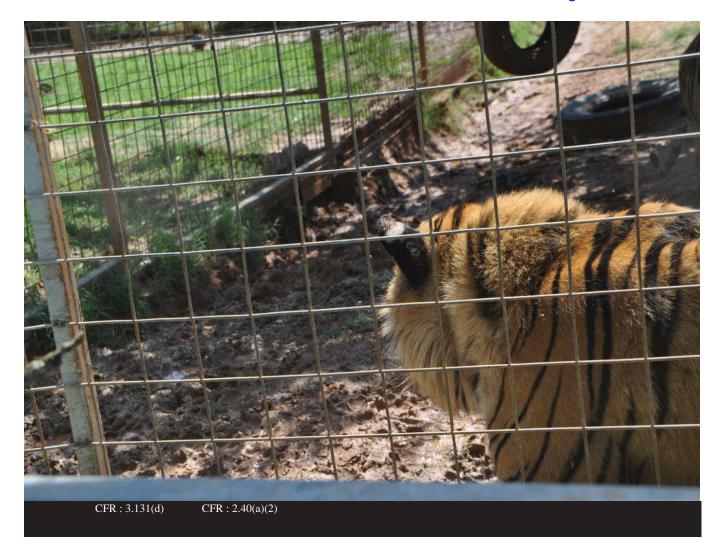
**Description:** 

Fly strike on the ears of the lion cub with significant destruction of tip of the ear

Certificate: 73-C-0230

**Legal Name:** 

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Photographer: DR. CUNNINGHAM

Date and Time: 22-JUN-20 Inspection No: 2016082569850135

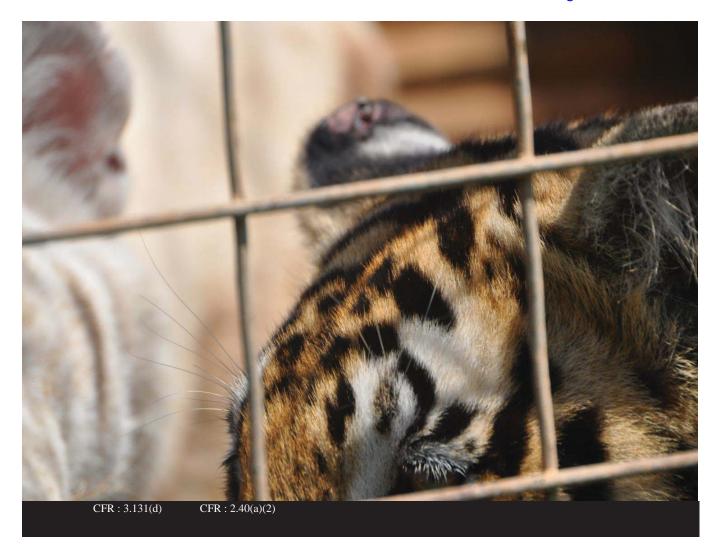
**Description:** 

Fly strike on the back of the right ear of an adult tiger

Certificate: 73-C-0230

**Legal Name:** 

## 6:20-cv-00423-JFH Document 2-1 Filed in ED/OK on 11/19/20 Page 39 of 41



Photographer: DR. CUNNINGHAM

Date and Time: 22-JUN-20 Inspection No: 2016082569850135

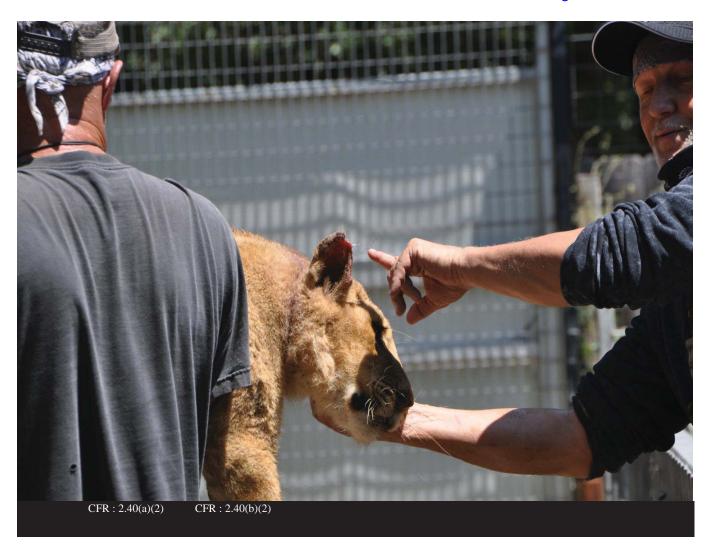
**Description:** 

Fly strike on the back of the right ear of an adult tiger

Certificate: 73-C-0230

**Legal Name:** 

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Photographer: DR. CUNNINGHAM

Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

Lion cub Nala being loaded into transport crate to be taken to the veterinarian

Certificate: 73-C-0230

**Legal Name:** 



Photographer: DR. CUNNINGHAM

Date and Time: 22-JUN-20 Inspection No: 2016082569850135

**Description:** 

Fisher cat limping and exposed grate in sub-floor of enclosure

Certificate: 73-C-0230

**Legal Name:**